

**CRIMINAL DOCKET  
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
<p>THE UNITED STATES</p> <p>vs.</p> <p>JOSE LUIS HIDALGO CUBILLO</p>	<p>For U. S.:</p> <p>Ben F. Baker</p> <p>For Defendant: <span style="float: right;">584-6458</span></p> <p>Ray Wilburn (Ret)</p> <p>Beacon Bldg.,</p> <p>Tulsa, Okla. 74103</p>

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 1-31-72	Clerk				
J.S. 3 mailed 2-21-72	Marshal				
Violation Dyer Act	Docket fee				
Title 18					
Sec. 2312					

DATE	PROCEEDINGS
1-18-72	Defendant Jose Luis Hidalgo Cubillo present in person and represented by Ray Wilburn, retained counsel. The govt. represented by Ben F. Baker. Defendant advised of charge, waives indictment, waiver signed and filed in open court. Information filed, defendant arraigned and enters plea of NOT GUILTY. Defendant request waiver of jury, govt. objects, and case set for jury trial on Monday, Feb. 14, 1972 at 9:30 A.M. Government instructed to locate spanish interpreter. (AEB-J)h
2-8-72	Subpoena to testify, filed and returned. <u>Luis Corado</u> not found in N.D. of Okla. (USM \$8.40) rm
2-8-72	Return of Marshal's service of subpoena to testify, filed. Served Gerald Sipe in Okla. City on 2/3/72. (USM \$4.00) rm
2-10-72	Case set for Jury Trial on Monday, February 14, 1972 at 9:30 A.M. before Judge Daugherty, (AEB-J)r
2-14-72	Jury Trial held. Deft. present in person with counsel, Ray Wilburn; Govt represented by Ben F. Baker. 11:00 A.M. Court recesses the Jury for Evidentiary Hearing with counsel. Defts' Motion to Suppress is overruled. 12:30 P.M., Jury returns - Court continues. 5:00 P.M.

DATE	PROCEEDINGS
	Court adjourns. Tuesday, February 15, 1972 (9:30 A.M.) Court continues with Court instructing the Jury. 10:00 A.M. Jury retires to deliberate. 2:00 P.M. Jury returns w/ Verdict of Guilty, and jury is discharged. Deft waives presence of the Interpreter. Case is referred to the Probation office for Pre-Sentence report and Deft is remanded to the U. S. Marshal Office. U. S. Atty directed to furnish Interpreter for Deft. for interviews with the Probation Office. Verdicts filed. (FD-J)r
2-15-72	Pltf's Exhibits #1 thru #5, <del>in</del> file. r
2-18-72	Case set for Sentencing on Wednesday, March 15, 1972 at 1:30 P.M. (FD-J)r
3-15-72	Subpoenae, ret. & filed: served Pjeter Shkrela, Elmhurst, N.Y., 2-3-72, and J. Donald Jones at Atlanta, Ga. 2-7-72. g by Ray Wilburn, ret. counsel.
3-15-72	Defendant present in person and represented. /The govt rep. by B.Baker. Tom Ballard, probation officer sworn as interpreter.
	Judgment and Sentence- Jose Luis Hidalgo Cubillo
	Ct. 1- Atty Gen - Four(4) years.
3-15-72	Def. advised of right to appeal, and def. gives oral notice of appeal.(FD-J)h
3-22-72	Order of J&C filed and entered. (FD-J)h Two c.c. to U.S. Marshal.h
3-23-72	Affidavit for leave to appeal in forma pauperis, filed. g
3-28-72	Notice of Appeal, filed. (copy to USCA & Ben Baker) rm
3-28-72	Order granting leave to appeal in forma pauperis, filed. (FD-J)g <i>copy to Wilburn</i>
4-7-72	Order for transcript of trial proceedings at govt. expense, filed. (FD-J)g <i>copy to La Cade</i>
4-7-72	J&C, ret. & filed: deft. delivered to Federal Correctional Institution, La Tuna, Anthony, N. M.-Texas. g
5-1-72	Order extending time to file and docket transcript and record on appeal extended to 6/1/72. (FD-J) rm - copies to USCA, Ben Baker and Ray Wilburn)
5-2-72	Letter dated 4-19-72 from Deft Cubillo to Judge Daugherty, requesting reduction of sentence, filed. r
5-2-72	Copy of letter dated 5-1-72 from J. D. to Cubillo, stating that under the circumstances, the Court will not consider a modification of sentence until case is affirmed on Appeal, filed. r
5-16-72	Letter dated 5-16-72 from Jose Luis Hidalgo Cubillo to the Court re; appeal Bond, filed. r
5-16-72	Copy of letter dated 5-15-72 from J. D. to Cubillo re: setting of the Appeal Bond, filed. r
5-16-72	MINUTE ORDER: Ordered that Appeal Bond is set in the amt of \$4,000.00, cash or surety. (FD-J)r
5-23-72	Letter dated 5-17-72 from Cubillo to J. D. renouncing his appeal, filed. r
5-25-72	Copy of letter dated 5-24-72 from J. D. to Cubillo regarding the appeal of deft and red. of sent. filed. r
6-2-72	Extension of time to 6/21/72 granted for filing and docketing appeal.(FD-J)rm (copies to C.A., U.S. atty, and Wilburn)
6-23-72	Deft's Appl. to withdraw notice of Appeal, consent of U.S. Attorney, filed. r
6-27-72	Order of Dismissal of appeal on stipulation of parties is granted, therefore the appeal is hereby dismissed. Filed. (FD-J)r (copies to attys and Ct. of Appeals)
7-6-72	Motion of deft. regarding a reduction of sentence, filed. r
7-31-72	Report of Probation Office on Deft., filed. r
7-31-72	Order filed, denying deft's Motion for reduction of sentence, filed. (FD-J) r (copies Mailed)